

Environmental

Transmittal # 03-08

Protection

Agency

Date Signed: JAN 08 2009

Region 5

REGION 5 DELEGATIONS MANUAL

Purpose. This transmittal provides several revised Region 5 delegations for the Region 5 Delegations Manual.

Explanation. The following revisions have been made:

- Region 5 delegations 5-9, 8-8, 12-1, and 22-3-A have been revised to eliminate the requirement that certain designations of inspectors are subject to the concurrence of the Regional Counsel or designee.
- Delegation 8-8 has been revised to explicitly delegate authority for inspections, for information requests, and for naming other Region 5 representatives to perform these functions to the Deputy Branch Chief, RCRA Branch, LCD, as an additional delegatee for these authorities.
- Delegations 8-8 and 8-9-A, have been revised to delegate certain authorities not only to the managers in the RCRA Branch in LCD but also to managers in the Remediation and Reuse Branch, LCD.
- Delegation 8-12 has been revised to delegate authority to the Branch Chief, Program Services Branch, LCD, rather than the Branch Chief, RCRA Branch, LCD.
- Delegation 8-27, which delegates authority to issue consent orders in connection with administrative enforcement actions concerning underground storage tanks to the LCD Division Director, is being withdrawn to be consistent with delegations under FIFRA, RCRA § 3008(a), TSCA and EPCRA. The effect of this withdrawal is that regional authority under HQ delegation 8-27 may be exercised in Region 5 only by the Regional Administrator.
- Delegations 5-9, 8-8, and 12-1 have been revised to clarify that the LCD Division Director is authorized to designate representatives to seek and implement inspection warrants.

Delegation of Authority from the Regional Administrator

- Delegations 5-9 and 22-3-A have been revised to prohibit redelegation of the authorities delegated therein, thus promoting consistency with delegations 8-8 and 12-1.
- Delegation 12-1 has been revised to include a reference to the court decisions that established the Agency's authority to seek warrants under TSCA.
- Finally, delegation 22-3-A has been revised to clarify that the Branch Chief, Chemicals Management Branch, LCD has authority to issue written notices in general, not just written notices of warning, and to clarify that LCD does not need to seek concurrence from ORC when issuing notices of inspection.

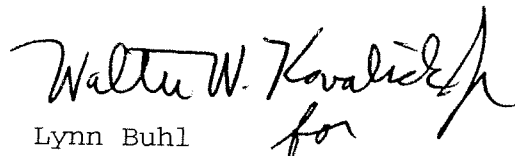
Filing Instructions. Post receipt of this transmittal on the checklist of EPA transmittals in the Region 5 Delegation Manual.

Remove Old Delegation

5-9
8-8
8-9-A
8-12
8-27
12-1
22-3-A

Insert New Delegation

5-9
8-8
8-9-A
8-12
None (Withdrawn)
12-1
22-3-A


Lynn Buhl
Regional Administrator

Delegation of Authority from the Regional Administrator